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RCE12872

PTO/SB/30(08-00)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/115,331Filing Date July 14, 1998First Named Inventor Mossberg et al.Group Art Unit 2872Examiner Name Audrey Y. ChangAttorney Docket No. 42P13961X2

### 1. Submission required under 37 C.F.R. § 1.114

a.  Previously submittedi.  Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on February 25, 2004  
(Any unentered amendment(s) referred to above will be entered).ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii.  Other \_\_\_\_\_b.  Enclosed

- i.  Amendment/Reply
- ii.  Affidavit(s)/Declaration(s)
- iii.  Information Disclosure Statement (IDS)
- iv.  Other \_\_\_\_\_

### 2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.(Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)b.  Other Petition for Two-month Extension of Time, processing fee of \$420.00 also enclosed

### 3. Fees

 The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666

- i.  RCE fee required under 37 C.F.R. § 1.17(e)
- ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii.  Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv.  Other \_\_\_\_\_

b.  Check in the amount of \$ 1190.00 enclosedc.  Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Todd M. BeckerRegistration No. (Attorney/Agent) 43,487Signature Todd M. BeckerDate 4-14-04

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: April 14, 2004  
Name (Print/Type) Yuko Tanaka

Signature Y. TanakaDate April 14, 2004